Conference on Disarmament

24 February 2014
English
Original: Spanish

Nota verbale dated 21 February 2014 from the Permanent Mission of Cuba addressed to the Acting Secretary-General of the Conference on Disarmament transmitting the "Special declaration on nuclear disarmament" and the "Proclamation of Latin America and the Caribbean as a zone of peace", adopted by the Heads of State and Government during the Second Summit of the Community of Latin American and Caribbean States, held from 28 to 29 January 2014 in Havana

The Permanent Mission of the Republic of Cuba to the United Nations Office at Geneva and other international organizations based in Switzerland presents its compliments to the Acting Secretary-General of the Conference on Disarmament, and has the honour to transmit herewith, the following documents that were adopted by the Heads of State and Government during the Second Summit of the Community of Latin American and Caribbean States, which was held in Havana from 28 to 29 January 2014:

- "Special declaration on nuclear disarmament";
- "Proclamation of Latin America and the Caribbean as a zone of peace".

The Permanent Mission of Cuba would be grateful if these statements could be issued as an official document of the Conference on Disarmament and distributed to all member States of the Conference and to all States participating as observers in the Conference. The English and Spanish versions of each text are attached, both versions being considered originals.

The Permanent Mission of the Republic of Cuba to the United Nations Office at Geneva and other international organizations based in Switzerland takes this opportunity to convey to the Acting Secretary-General of the Conference the renewed assurances of its highest consideration.

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[Original: English and Spanish]

Special declaration on nuclear disarmament

The Heads of State and Government of the Latin America and the Caribbean States gathered in Havana, Cuba, on the occasion of the II Summit of the Community of Latin American and Caribbean States (CELAC), on 28 and 29 January 2014,

1. Reiterate their grave concern at the threat that poses for Mankind the ongoing existence of nuclear weapons and their potential use or threat of use;

2. Highlight their strong support and commitment to the CELAC Declaration on Nuclear Disarmament adopted in Buenos Aires, Argentina, on August 20, 2013;

3. Reaffirm resolution CG/563 on the Urgent Need for General and Complete Nuclear Disarmament, as well as the strategic Agenda of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) both adopted by the 33 Member States during the Twenty-third Regular Session of the General Conference of OPANAL on August 22, 2013, in Buenos Aires, Argentina;

4. Stress that the use or threat of use of nuclear weapons is a violation of the Charter of the United Nations and a crime against humanity, constituting at the same time a violation of International Law and of International Humanitarian Law, and recall that the International Court of Justice in its advisory opinion of 1996 so determined unanimously;

5. Declare that a complete and verifiable nuclear disarmament is an important goal of this Community of States and reiterate that the only effective guarantee against the use or threat of use of nuclear weapons is its complete elimination and prohibition;

6. Reaffirm the urgent need to advance towards the primary goal of nuclear disarmament and achieve complete and general elimination of nuclear weapons, and their decision to join the efforts of the international community in making progress towards the negotiation of a universal and legally binding instrument banning nuclear weapons;

7. Identify as a legitimate interest of non-nuclear-weapon States, which includes all CELAC Member States, the unequivocal and legally binding assurance by nuclear weapon States against the use or threat to use such weapons. CELAC Member States call for negotiating and adopting, as soon as possible, a universal and legally binding instrument on negative security assurances;

8. Reiterate their call to all States, particularly nuclear weapons States to eliminate the role of nuclear weapons from their doctrines, security policies and military strategies and policies or as a prospective approach for addressing conflicts with a view to achieving the complete elimination of these weapons, irrespective of their type and geographical location;

9. Express their greatest concern at the humanitarian impact of vast proportions and global effects of any accidental or intentional nuclear detonation. Call upon the International Community to reiterate its concern on the humanitarian consequences of nuclear weapons whenever the debate on this type of weapons takes place. Welcome the Oslo Conference on the Humanitarian Impact of Nuclear Weapons, held in March 2013, and, in this regard, call all States to participate in the Second International Conference on the Humanitarian Impact of Nuclear Weapons to be held in Mexico, on February 13 and 14, 2014;

10. Maintain their firm stance in favor of the full implementation of the three key pillars of the Non-Proliferation of Nuclear Weapons Treaty (NPT): nuclear disarmament. non-proliferation, and the use of nuclear energy for peaceful purposes. CELAC reaffirms the

importance of the Treaty on the Non-Proliferation of Nuclear Weapons – cornerstone of the disarmament and nuclear non-proliferation regime – and highlights the importance of its universality. In this regard, urge States that have not done so, to adhere to the Treaty as Non-Nuclear States;

11. Reaffirm the inalienable right of States to develop research, production and peaceful use of nuclear energy without discrimination and in conformity with Articles I, II, III and IV of the NPT. Reiterate the commitment of all Parties to the Treaty to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful use of nuclear energy;

12. Urge Nuclear-Weapon States to fulfill the commitments under Article VI of the NPT, and to advance towards the complete elimination of those weapons. Urged them to fully and immediately implement the 13 practical steps towards nuclear disarmament agreed at the 2000 NPT Review Conference, as well as in the Plan of Action adopted at the 2010 Review Conference;

13. In this context, CELAC regrets the failure to implement the agreement on the convening of an International Conference for the establishment of a Zone Free of Nuclear Weapons and other Weapons of Mass Destruction in the Middle East. CELAC reminds that the convening of this Conference is an important and integral part of the final outcome of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);

14. Besides being an important contribution to achieving the nuclear disarmament goal, CELAC is strongly convinced that the establishment of said zone would represent a transcendental step toward a peace process in the Middle East region. CELAC calls for the holding of the Conference at the earliest date possible, as agreed by the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 1995, 2000 and 2010;

15. Express their total opposition to the enhancement of existing nuclear weapons and the development of new types of nuclear weapons, which is inconsistent with the obligation of adopting effective measures towards nuclear disarmament;

16. Reiterate the importance of the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and urge those States in Annex II of the Treaty whose ratification is essential for its entry into force to accelerate the process of signing and/or ratifying this instrument;

17. Call upon all States to refrain from carrying out nuclear weapon test explosions, other nuclear explosions or any other non-explosive relevant experiment, including subcritical experiments for the improvement of nuclear weapons. Such actions are contrary to the objective and purposes of the CTBT, as well as to the spirit of the Treaty, undermining the desired impact as a nuclear disarmament measure;

18. Recall that the First Special Session of the United Nations General Assembly on Disarmament (SSOD-I) established the Disarmament Conference as the single multilateral negotiation body on disarmament. Urge the Disarmament Conference to show the necessary political will to ensure, without further delay, the beginning of substantive work beginning by the adoption and implementation of an integral and balanced work program to make progress in the nuclear disarmament agenda;

19. Recognize the work of the Open-ended Working Group established under Resolution A/RES/67/56 of the United Nations General Assembly, with the mandate to put forward proposals to foster multilateral negotiations on nuclear disarmament, including the proposals submitted and contributions made in this Group by CELAC Member States;

20. Stressed that the establishment of Nuclear-Weapon-Free Zones strengthens international peace and security as well as the non-proliferation regime, and is an important contribution to nuclear disarmament;

21. Reiterate Latin America and the Caribbean's pride in being the first densely populated area in the world constituted as a Nuclear-Weapon-Free Zone (NWFZ), under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). Reaffirm that the establishment of a NWFZ in the Latin American and Caribbean region has contributed to nuclear disarmament and non-proliferation, as well as to regional and global peace and security;

22. Emphasize that the Tlatelolco Treaty and the OPANAL have constituted a political, legal and institutional reference in the establishment of other Nuclear-Weapon-Free Zones (NWFZs) in different regions of the world. Today OPANAL's experience, together with that of the other four existing NWFZs and Mongolia as a single State unilaterally declared free of nuclear weapons, constitutes an important heritage of the international community to inspire the establishment of new NWFZs, and advance towards the goal of a nuclear weapons free world;

23. Urge nuclear powers to withdraw all interpretative declarations to the Protocols I and II of the Tlatelolco Treaty that constitute actual reservations prohibited by this Treaty, and to respect the denuclearized character of the Latin American and Caribbean region, thus contributing to eliminate the possibility of the use of nuclear weapons against the countries of the region. Express their commitment to continue working with those States Parties to the Protocols in order to convince them to withdraw or modify such declarations;

24. Stress the importance of active participation by CELAC Member States in drafting concrete proposals to achieve general and complete nuclear disarmament, in accordance with a multilaterally agreed, clear, irreversible, and verifiable timeframe;

25. Reaffirm the importance of the link and cooperation between CELAC and OPANAL, the specialized regional body to harmonize a common stance and of the joint work to achieve nuclear disarmament;

26. Reiterate CELAC strong commitment to work for convening a High-Level International Conference to identify measures and actions to eliminate nuclear weapons at the shortest possible term, with a view to adopt a phased program for the complete elimination of nuclear weapons in an specific timeframe, banning the development, production, procurement, testing, stockpiling, transfer, use or the threat to use nuclear weapons and stipulate their destruction;

27. Highlight their intention to ensure proper follow-up to resolution A/RES/68/32 of the General Assembly entitled "Follow-Up to the 2013 High Level Meeting of the General Assembly on Disarmament" and actively participate in the Third Session of the Preparatory Committee of the Review Conference on NPT to be held in New York in 2014, which will be chaired by Peru.

Havana, 29 January 2014

[Original: English and Spanish]

Proclamation of Latin America and the Caribbean as a zone of peace

The Heads of State and Government of the Community of Latin American and Caribbean States (CELAC) gathered in Havana, Cuba on January 28 and 29, 2014 at the Second Summit, on behalf of their peoples and faithfully interpreting their hopes and aspirations,

Reaffirming the commitment of member countries with the Purposes and Principles enshrined in the United Nations Charter and International Law, and aware of the fact that prosperity and stability in the region contribute to international peace and security;

Mindful that peace is a supreme asset and a legitimate aspiration of all peoples and that preserving peace is a substantial element of Latin America and Caribbean integration and a principle and common value of the Community of Latin American and Caribbean States (CELAC);

Reaffirming that integration consolidates the vision of a fair International order based on the right to peace and a culture of peace, which excludes the use of force and non-legitimate means of defense, such as weapons of mass destruction and nuclear weapons in particular;

Highlighting the relevance of the Tlatelolco Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean establishing the first nuclear weapon free zone in a densely populated area, this being a contribution to peace and to regional and international security;

Reiterating the urgent need of General and Complete Nuclear Disarmament, as well as the commitment with the Strategic Agenda of the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), adopted by the 33 Member States of the Organization in the General Conference held in Buenos Aires in August, 2013;

Recalling the principles of peace, democracy, development and freedom underlying the actions of countries members of SICA;

Recalling the decision of UNASUR Heads of State of consolidating South America as a Zone of Peace and Cooperation;

Recalling the establishment, in 1986, of the Zone of Peace and Cooperation of the South Atlantic;

Recalling also our commitment, agreed in the Declaration of the Summit of Unity of Latin America and the Caribbean, on 23 February 2010, to promote the implementation of our own mechanisms for the for peaceful conflict resolution;

Reiterating our commitment to consolidate Latin America and the Caribbean as a Zone of Peace, in which differences between nations are peacefully settled through dialogue and negotiations or other means, fully consistent with International Law;

Cognizant also of the catastrophic global and long-term humanitarian impact of the use of nuclear weapons and other weapons of mass destruction, and the ongoing discussions on this issue,

Declare:

1. Latin America and the Caribbean as a Zone of Peace based on respect for the principles and rules of International Law, including the international instruments to which Member States are a party to, the Principles and Purposes of the United Nations Charter;

2. Our permanent commitment to solve disputes through peaceful means with the aim of uprooting forever threat or use of force in our region;

3. The commitment of the States of the region with their strict obligation not to intervene, directly or indirectly, in the internal affairs of any other State and observe the principles of national sovereignty, equal rights and self-determination of peoples;

4. The commitment of the peoples of Latin American and Caribbean to foster cooperation and friendly relations among themselves and with other nations irrespective of differences in their political, economic, and social systems or development levels; to practice tolerance and live together in peace with one another as good neighbors;

5. The commitment of the Latin American and Caribbean States to fully respect for the inalienable right of every State to choose its political, economic, social, and cultural system, as an essential conditions to ensure peaceful coexistence among nations;

6. The promotion in the region of a culture of peace based, inter alia, on the principles of the United Nations Declaration on a Culture of Peace;

7. The commitment of the States in the region to guide themselves by this Declaration in their International behavior;

8. The commitment of the States of the region to continue promoting nuclear disarmament as a priority objective and to contribute with general and complete disarmament, to foster the strengthening of confidence among nations;

We urge all Member States of the International Community to fully respect this Declaration in their relations with CELAC Member States.

Havana, January 29, 2014

Conference on Disarmament

25 February 2014

Original: English

Note verbale dated 21 February 2014 from the Permanent Mission of the Islamic Republic of Iran in its capacity as Chair of the Non-Aligned Movement addressed to the Secretariat of the Conference on Disarmament transmitting the statement of the Non-Aligned Movement on the occasion of the Second Conference on the Humanitarian Impact of Nuclear Weapons held in Nayarit, Mexico on 13 and 14 February 2014

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other International Organizations in Geneva, in its capacity as Chair of the Non-Aligned Movement, presents its compliments to Secretariat of the Conference on Disarmament, and has the honour to submit the Non-Aligned Movement statement on the occasion of the Second Conference on the Humanitarian Impact of Nuclear Weapons, held in Nayarit, Mexico on 13-14 February 2014 and request that this statement be circulated as an official document of the Conference.

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Statement of the Non-Aligned Movement on the occasion of the Second Conference on the Humanitarian Impact of Nuclear Weapons

The Movement of Non-Aligned Countries welcomes the continuing consideration of the Humanitarian Impact of Nuclear Weapons at the Conference convened by Mexico on 13-14 February 2014 and in this context, wishes to state the following:

1. The catastrophic humanitarian consequences of nuclear weapons have been underscored in the Final Document of the First Special Session of the United Nations General Assembly on Disarmament, whereby it was emphasized that "mankind today is confronted with an unprecedented threat of self-extinction arising from the massive and competitive accumulation of the most destructive weapons ever produced." Existing arsenals of nuclear weapons alone are more than sufficient to destroy all life on earth.

2. The Movement expresses its deepest concern over the immediate, indiscriminate, and massive death and destruction caused by any nuclear weapon detonation and its long term catastrophic consequences on human health, environment, and other vital economic resources, thus endangering the life of present and future generations.

3. The Non-Aligned Movement reiterates its profound concern at the threat to humanity posed by the continued existence of nuclear weapons and of their possible use or threat of use.

4. While recalling the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons, inter alia that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law, the Movement reiterates its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and in this context reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law.

5. The Movement therefore reaffirms the necessity to attain the goal of complete nuclear disarmament, leading to the total elimination of nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons.

6. The Movement takes this opportunity to reaffirm that nuclear disarmament remains the highest priority of the international community. Therefore, the Movement calls for the urgent compliance with the legal obligations and the fulfillment of the commitments undertaken on nuclear disarmament.

7. In this regard, the Movement underlines the implementation of the UN General Assembly A/RES/68/32 on the "Follow-up to the 2013 High-level Meeting of the General Assembly on nuclear disarmament", to:

(a) urgently commence negotiations, in the Conference of Disarmament, for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer and use or threat of use, and to provide for their destruction;

(b) commemorate 26 September as the International Day for the Total Elimination of Nuclear Weapons devoted to furthering this objective, including thro gh enhancing public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination, in order to mobilize international efforts towards achieving the common goal of a nuclear-weapon-free world;

(c) convene a United Nations high-level international conference on nuclear disarmament by 2018.